

Remarks

Reconsideration of this patent application is respectfully requested, particularly as herein amended.

Claims 1, 2, 4 to 6 and 19 have been rejected under 35 U.S.C. §102(b) as being anticipated by a patent to Holderegger (US 2,650,871). Claims 1 to 5 and 19 to 21 have further been rejected under 35 U.S.C. §102(b) as being anticipated by a patent to Williams (US 2,270,914). It has been indicated that claims 7 to 18 and 22 to 30 would be allowable if suitably rewritten, and claims 31 to 47 have been allowed.

Independent claim 1 has been amended to incorporate the locking mechanism which was originally recited in dependent claim 19, which has been canceled.

Holderegger discloses furniture having drawers which are rotatably received on carriers 5 mounted to bottom portions of the drawers so the drawers can be moved from a longitudinal orientation to a transverse orientation. The drawers rotate about an axle pin 11, and rotation of the drawers is limited by guide pins 7, 8 which are received in corresponding guide slots 14, 15. The axle pin 11 is received in a slot 16, and the guide slots are provided with slot portions 14a, 15a for receiving the guide pins 7, 8, in a manner which "assures proper alignment of the drawer on said carrier so that there is no danger of the drawer damaging the desk while it is being pushed thereinto" (col. 2, lines 37 to 40).

However, the axle pin 11 of Holderegger "is secured to the plate 10" of the carrier 5 (col. 1, line 53) and the guide pins 7, 8 of Holderegger "project downwardly from the plate 10" to slidably engage the guide slots 14 and 15 (col. 2, lines 4 to 7). There is no disclosure in Holderegger of a locking mechanism "having a retractable tip extending through the second plate and selectively engaging the first plate", as recited in applicant's independent claim 1.

Williams discloses a dispenser for containing a box of facial tissues which generally includes a mounting bracket 15 for receiving a holder 16 for containing the box of facial tissues. At page 3 of the Office Action, it is indicated that "a locking mechanism (31, 32)" is provided between these two structures.

However, at page 2 of Williams, in the left column and beginning at line 43, it is stated that:

The holder 16 is prevented from dropping down past the position shown in Figure 3 by stop pins 31 fixed to the end 19 of the holder and working in arcuate slots 32.... The holder 16 is resiliently held in its upper or closed position by a pair of inwardly projecting bosses 33... [in] recesses or indentations 34 for receiving the bosses 33....

Consequently, it is seen from this disclosure that the structures identified by the reference numbers 31 and 32 are not a locking mechanism, as is suggested in the Office Action, and that there is no disclosure of a locking mechanism "having a retractable tip extending through the second plate and selectively engaging the first plate", as recited in applicant's independent claim 1, by the bosses 33 and recesses 34 of Williams.

Independent claim 20 (and dependent claim 2) has been amended to recite "a single pivot pin" extending from a corner of one of the mounting plates and engaging an aperture formed in a corner of another one of the mounting plates.

As previously indicated, Williams discloses a dispenser for containing a box of facial tissues which generally includes a mounting bracket 15 for receiving a holder 16 for containing the box of facial tissues. The Office Action takes the position that the disclosed holder has a side vertical member 17 which is pivotally connected, via a pin and aperture (11, 16), to a side vertical member 15 of the bracket. This position is not entirely understood because the reference number 15 properly identifies a bracket (page 1, right column, line 19) and not a side member, the reference number 16 properly identifies a holder (page 1, right column, line 34) and not a pin or aperture, the reference number 17 properly identifies a tissue box (page 1, right column, line 34) and not a side member, and the reference number 11 identifies a glove compartment (page 1, right column, lines 10 and 11) and not a pin or aperture. In any event, such structural features are patentably distinguishable from the subject matter recited in applicant's independent claim 20.

At page 2 of Williams, in the left column and beginning at line 72, it is stated that:

Attention is particularly directed to the economical manner in which the device is constructed. Each of the two principal parts, the bracket 15 and the holder 16, is constructed of a single piece of metal.... (emphasis added)

At page 1 of Williams, in the right column and beginning at line 34, it is stated that:

The holder 16 for the box 17 of paper is shaped like a rectangular box and is pivoted between the two depending end portions of the bracket 15. (emphasis added)

Consequently, it is seen from this disclosure that two pivots (the pivots 29) are required to connect the holder 16 to the bracket 15.

Moreover, this distinction is important for ensuring proper operation of the Williams dispenser. Williams calls particular attention to the importance of fabricating both the bracket and the holder as "single piece" constructions, and two pivots are provided for interconnecting the one-piece bracket and the one-piece holder. There is no disclosure of a dispenser having some other configuration, and there is no disclosure of a dispenser limited to the structural elements identified in the Office Action. Providing only a single pivot between the holder and the bracket, as is recited in applicant's independent claim 20, would not effectively support the holder beneath the bracket and would render inoperative the dispenser disclosed by Williams, preventing the interpretation of Williams which is suggested in the Office Action.

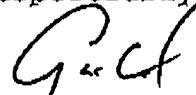
Further distinctions between Williams and Holderegger and the subject matter of applicant's claims are present in the dependent claims pending in this application, and were discussed in applicant's Reply filed March 10, 2006.

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In view of the foregoing, it is submitted that this patent application is in condition for allowance and corresponding action is earnestly solicited.

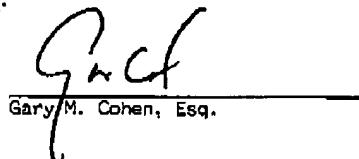
Respectfully submitted,



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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on: August 28, 2006.

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